STATEMENT

OF

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BEFORE THE

COMMITTEE ON HOMELAND SECURITY
SUBCOMMITTEE ON EMERGENCY PREPAREDNESS,
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CONCERNING

"THE STATE OF INTEROPERABILITY:
PERSPECTIVES ON FEDERAL COORDINATION OF
GRANTS, STANDARDS, AND TECHNOLOGY"

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Subcommittee on Emergency Preparedness, Science, and Technology

Testimony of Carl R. Peed
Director of the Office of Community Oriented Policing Services
U.S. Department of Justice
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Good Afternoon. I am pleased to appear before you today on behalf of the Department of Justice's Office of Community Oriented Policing Services (COPS). As a twenty-five year veteran of law enforcement, I am proud to lead an organization whose mission is to support local efforts to reduce crime through community policing.

In 1994, Congress passed the Violent Crime Control and Law Enforcement Act, which created the Office of Community Oriented Policing Services (COPS) and our mission of advancing community policing and assisting state, local, and tribal law enforcement throughout the country. Since then, more than two-thirds of the nation's law enforcement agencies have received assistance from COPS programs, including training and technical assistance, grants for purchasing and deploying crime fighting technology, and law enforcement hiring assistance.

Community policing calls for law enforcement agencies to develop collaborative relationships within the community that support a detailed understanding of community needs, community norms, and ultimately, community vulnerabilities. Furthermore, community policing encourages law enforcement to rely on this understanding of the community to implement proactive measures that prevent crime and illegal behavior before it evolves into a significant criminal or terrorist act, and to effectively respond to emergencies and disasters.

We have heard repeatedly from local law enforcement that the nexus between national efforts to secure our homeland from terrorism and disaster and local efforts to secure individual communities from all types of threats and emergencies is clear. This is why COPS has worked in close cooperation with the Department of Homeland Security in administering the Interoperable Communications Technology Grant Program, which is the program that I am here to speak with you about today.

One of the major issues currently facing emergency service providers is the inability of first responders to share vital information during crisis, and our interoperability grant program directly addresses this issue. Communications interoperability refers to the ability to share information across disciplines and jurisdictions via radio and data networks on demand, in real-time, when needed, and as authorized.

Effective emergency response requires operational coordination and the sharing of vital information among numerous public safety agencies. Unfortunately, many emergency service providers rely on communication systems developed solely to meet their own unique needs, and these systems are often not compatible with those of neighboring agencies.

Recognizing this challenge, Congress, through the Omnibus FY 2003 Appropriation and the Wartime Supplemental Appropriation, allocated $66 million to COPS to administer a discretionary interoperability program for law enforcement agencies.

During the same fiscal year, the Emergency Preparedness and Response Directorate (*i.e.* FEMA) in the Department of Homeland Security (DHS), received almost $80 million for a similar program aimed at various public safety agencies. Therefore, we worked together, and with the assistance of the Department's National Institute of Justice (NIJ) and the Department of Commerce's National Institutes of Standards and Technology (NIST), COPS and FEMA developed a coordinated program for FY 2003.

Since the Interoperable Communication Technology Program's inception, COPS has worked closely with the NIJ and the Justice Department's Bureau of Justice Assistance, the our 25 city High Risk Metropolitan Areas Interoperability Project, the DHS Office for Interoperability and Compatibility - SAFECOM, DHS' Office of Grants and Training, FEMA, and the NITJ. We have collaborated with these entities on issues such as establishing program guidelines and criteria, reviewing applications, developing national interoperable standards, and providing interoperable training and technical assistance to first responders.

In fact, these partnerships are a key contributor to the success of federal efforts. COPS recognized early on that Government-wide goals would best be achieved by collaborating with other federal agencies, technical experts, and experienced practitioners. An integral part of implementing successful interoperable networks is the willingness and capacity of the systems' users to work together effectively. For COPS to overlook the very actions that we require of grant recipients would be hypocritical.

Our collaborative efforts were even acknowledged in the FY 2005 Appropriations Conference Report. In the language of the Report, "the Conferees commend the COPS Office for its coordination with other federal agencies that deal with public safety interoperability. The Conferees believe coordination of federal efforts is critical to ensure our nation's safety and a necessity if we are not to fall victim to the pitfalls of the past."

With a program of this nature we believed it was imperative to leverage the program's funds to ensure the greatest possible impact on the largest population centers in the country. This was COPS' goal when inviting jurisdictions to apply from the beginning. Initially, in 2003, we invited the largest 50 metropolitan statistical areas (MSA) in the United States and the largest metropolitan area in each State to apply for the program. In

2004, we received additional guidance from Congress instructing us to consider both large and small entities. Therefore, we used the same process, and invited the two largest MSAs in each State to apply. In 2005, the process was the same, but due to increased funding we added the three largest MSAs in each State. Ultimately, by increasing the number of MSAs in each State that were eligible to apply, and as previous grantees were removed from the list of potential applicants each year, we steadily increased the number of smaller jurisdictions that became eligible to benefit from the program.

In fiscal year 2003, COPS awarded $66.5 million to 14 communities to develop interoperable communication networks. In fiscal year 2004, COPS awarded $82.6 million in grants to 23 communities in 17 states, and in fiscal year 2005, COPS awarded 26 agencies nearly $93 million through this program. In total, this equates to more than $242 million to support real-time information sharing and enhanced command and control capacity by law enforcement in 63 of the nation's largest metropolitan areas.

The grants provided one year of funding (three years in 2005), and population determined the amount of funding available to grantees. The maximum federal share for a grant award is $6 million for MSA regions with a population of greater than 500,000 persons according to the 2000 Census, and $3 million for MSAs with a population of 500,000 persons or less. The program requires a local cash match of 25% of the total project cost.

Successful applications for the program demonstrate a detailed understanding of the first responder interoperability needs within the MSA applying for funds. Proposals have also been required to be comprehensive and convey a clear and demonstrated plan for achieving improved multi-jurisdictional and/or multi-disciplinary interoperability.

Again, COPS recognized the importance of partnerships, and we worked closely with SAFECOM and our other partners during the proposal evaluation process. We relied on partnerships to effectively review the proposals, and on the federal level to ensure the highest degree of consistency with existing interoperability standards.

All applications were peer reviewed to ensure that the best proposals were funded. The panel of peer reviewers was comprised of law enforcement, fire, and emergency medical service personnel, as well as technological professionals who provided expert evaluation on the technical aspects of the proposals.

The major factors considered during the peer review process have been: (1) the quality and merit of applications, which represents 40% of the application score; (2) projected project outcomes and deliverables, which represent 18% of the score; (3) project management details, which represent 30% of the score; and (4) budget and jurisdictional/disciplinary coordination issues, which represent 12% of the score.

The program funds can be used to support purchasing and deploying interoperable communications equipment; providing neighboring jurisdictions with the equipment or services they need to participate on existing networks; and the purchase or deployment of

any other technologies that can be demonstrated to significantly increase interoperability within the public safety community of a given MSA.

Ideally, these MSAs are going to become models for successfully developing and implementing interoperable networks, and we want to be certain that they have any guidance that they may need during the development and implementation process.

Therefore, we have offered a variety of training and technical assistance resources to the grant recipients, working in consultation with the Department of Homeland Security. We have hosted a technical assistance kickoff conference that assists grantees with everything from handling the administrative requirements of the grant to addressing interjurisdictional liability issues related to interoperable networks. Our two agencies have hosted advanced technical assistance workshops, a National Interoperability Summit, and we have offered consultative services. Whatever form of technical assistance best meets the needs of a grantee -- conferences, workshops, direct on-site consultation, or publications -- we have sought to provide it.

Let me share some examples from the program with you. In Washington State, the City of Seattle and other cities within the Seattle MSA are working to establish a wireless data exchange system that will link their police and fire dispatch systems. The project also calls for their collective systems to be linked to the King County Sheriff's Department, the jail system, Prosecutor's Office, Municipal courts, the State Police, and the state's Criminal Justice Information system. While there is still much work that must be done to get all of the existing systems to the stage that they are capable of linking, this system will allow officials throughout the Seattle MSA to share vital information and work together toward common public safety goals.

In Texas, the City of Austin, which is in Travis County, will use COPS funds to expand their existing 800 MHz regional radio system into neighboring Williamson County, and to upgrade Williamson County's older analog system so that it is compatible with Austin's. Once this project is completed, it can be used as a statewide benchmark that will enable state, local, and federal agencies to communicate on a common platform.

And, in Orange County Florida, COPS funds are being used to provide five shared communications channels across a nine-county region. First responders in nine counties will all be able to share and react to information in real-time.

This year, COPS was appropriated $10 million to continue the Interoperability Communications Technology Grant Program. Coordinating with the Department of Homeland Security, we plan to use these funds to make several grants and to support training and technical assistance that will assist the field and their ongoing efforts to improve interoperability. As in previous Budgets, the President's 2007 Budget proposes to focus support for first responder interoperability within Department of Homeland Security, which has a broader range of grant and technical assistance resources.

The potential of interoperable communications systems is tremendous and the need great. Thanks, in part, to these grants, police and fire communications and information systems will be developed in the future with an eye toward interoperability.

America has learned that tragedies, natural disasters, and crimes do not recognize jurisdictional borders. My neighbor's problem is my problem. When we act together, we are stronger than when we attempt to go it alone. First responders have accepted the challenge of achieving interoperability, and COPS is pleased to have been a partner with many federal agencies in a coordinated federal response to address this need.

Thank you, and I am happy to answer any questions you may have.